

**State of California, State Water Resources Control Board**

Division of Water Rights

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400 Web: <http://www.waterrights.ca.gov>

**S001633**

**2006, 2007, 2008**

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM**

**Owner(s) of Record:**

SAN JOSE WATER COMPANY

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2009

**Primary Contact:**

SAN JOSE WATER COMPANY  
1221 S BASCOM AVE  
SAN JOSE, CA 95128

**Agent:**

Address:

Phone No. 408-279-7818

Fax No.

E-mail Address:

Phone No.

Fax No.

E-mail Address:

**Source Name:** BURTON CREEK

**Tributary To:**

**County:** Santa Clara

**Diversion within:** NW 1/4 of NE 1/4 Section 26, T 8 S, R 2 W, MDB&M

**Year of First Use:** 1869

**Name of Diversion works:**

**Assessor Parcel Number of the Diversion site:** 517-06-002

2009 JUL 16 AM 11:40  
 DIV OF WATER RIGHTS  
 SACRAMENTO  
 STATE WATER RESOURCES  
 CONTROL BOARD

A. **Water is Used Under:** Riparian claim ☐ Pre-1914 claim ☒ Court Decree No.: \_\_\_\_\_ Other (explain): \_\_\_\_\_

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims)) \_\_\_\_\_

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:  
 Gallons per minute (gpm) \_\_\_\_\_ Gallons per day (gpd) \_\_\_\_\_ Cubic feet per second (cfs) \_\_\_\_\_

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2006													
2007													
2008													

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:  
 Gallons \_\_\_\_\_ Million Gallons (MG) ☒ Acre-feet (AF) \_\_\_\_\_

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2006													0
2007													0
2008													0

E. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic \_\_\_\_\_;  
 Other (specify) \_\_\_\_\_

Parcel Number(s) of Place of Use: \_\_\_\_\_

F. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.  
 (New pump, enlarged diversion dam, location of diversion, etc.)

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☒ NO ☐ PUBLIC EDUCATION  
 Describe any water conservation efforts you have initiated: \_\_\_\_\_

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:  
 Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

Reduction in consumptive use:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO ☒

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ☒ NO \_\_\_\_\_

b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES \_\_\_\_\_ NO ☒

3. Conjunctive use of surface water and groundwater

a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO ☒

b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES \_\_\_\_\_ NO ☒

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 6-30, 20 09 at San Jose, California

SIGNATURE: [Signature]

PRINTED NAME: Curtis A. RAYE, JR.  
(first name) (middle initial) (last name)

COMPANY NAME: \_\_\_\_\_

ITEM \_\_\_\_\_ If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.  
CONTINUATION

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return this Form by **JULY 1, 2007**

Primary Owner: **SAN JOSE WATER COMPANY**

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING

**SAN JOSE WATER COMPANY**

**C/O R S YOO**

**1221 S BASCOM AVE**

**SAN JOSE, CA 95128**

Source Name: **BURTON CREEK**

Tributary To: **BEARDSLEY CREEK**

County: **Santa Clara**

Diversion Within: **NW¼ of NE¼ Section 26 T08S, R02W, MB&M**

STATEMENT NO.:

CONTACT PHONE NO.:

**S001633**

**(408) 279-7818**

Year of First Use:

Parcel Number:

**1869**

**517-06-002**

A. **Water is Used Under:** Riparian claim \_\_\_\_\_ Pre-1914 right ☒ Other (explain): \_\_\_\_\_

B. **Year of First Use:** (Please provide if missing above) \_\_\_\_\_

C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons \_\_\_\_\_ Million Gallons (MG) ☒ Acre-feet (AF) \_\_\_\_\_ Other **ML**

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2004													<b>4</b>
2005													<b>4</b>
2006													<b>4</b>

D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic \_\_\_\_\_;

Other (specify) \_\_\_\_\_

E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.  
(New pump, enlarged diversion dam, location of diversion, etc.)

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☒ NO ☐  
Describe any water conservation efforts you have initiated:

**Public Education**

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

Reduction in consumptive use:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES ☐ NO ☒

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree, which unreasonably affects such water for other beneficial uses? YES ☒ NO ☐.
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES ☐ NO ☒.

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES ☐ NO ☒.
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES ☐ NO ☒.

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 6-28, 2007 at SAN JOSE, California

SIGNATURE: [Signature]

PRINTED NAME: CURTIS A. ROYER, JR.  
(first name) (middle initial) (last name)

COMPANY NAME: SAN JOSE WATER COMPANY

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____

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Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.

Notify this office if ownership or address changes occur during the coming year.

**Please Complete and Return This Form by August 1, 2004.**

**\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.**

**Owner of Record: SAN JOSE WATER COMPANY;**



S001633%S%2003

STATE OF CALIFORNIA  
CONTROL DIVISION  
2001, 2002, 2003

2004 AUG -4 AM 11:06

DIV. OF WATER RIGHTS  
SACRAMENTO

**PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:**

**SAN JOSE WATER COMPANY**

**C/O R S YOO**

**1221 S BASCOM AVE**

**SAN JOSE, CA 95128**

STATEMENT NO.: S001633  
CONTACT PHONE NO.: (408)279-7818

**Source Name:** BURTON CREEK

**Tributary To:** BEARDSLEY CREEK

**County:** Santa Clara

**Diversion Within:** NW1/4 of NE1/4 Section 26, T08S, R02W, MB&M

**Year of First Use:** 1869

**Parcel Number:** 517-06-002

A. Water is used under: Riparian claim \_\_\_\_\_ Pre 1914 right ☒ Other (explain): \_\_\_\_\_

B. Year of first use (Please provide if missing above) \_\_\_\_\_

C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

Amounts below are: Gallons _____ Acre-feet _____ Other <i>mb</i>													Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
2001													0
2002													0
2003													0

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic \_\_\_\_\_

Other (specify) \_\_\_\_\_

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☒ NO \_\_\_\_\_

Describe any water conservation efforts you have initiated:

*Public Education*

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

Reductions in consumptive use:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES ☒ NO \_\_\_\_\_

AUG 5 2004

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ☒ NO ☐
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to wastewater reclamation. YES ☐ NO ☒

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES ☐ NO ☒
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to conjunctive use efforts. YES ☐ NO ☒

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 7/30, 2004 at SAN JOSE, California

SIGNATURE: [Signature]

PRINTED NAME: ANDREW R GORE  
(first name) (middle init.) (last name)

COMPANY NAME: SAN JOSE WATER COMPANY

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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*"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"*



2002 JAN 18 PM 2:35

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

DIVISION OF WATER RIGHTS  
SACRAMENTO

Please Complete and Return This Form by July 1, 2001.

Owner of Record: SAN JOSE WATER COMPANY;

SAN JOSE WATER COMPANY  
1221 S BASCOM AVE  
SAN JOSE, CA 95128



Statement No: S001633

Password: 04190110026128

Phone Number: (408) 279-7818

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Year of First Use: 1869

Source Name: BURTON CREEK

Tributary To: BEARDSLEY CREEK

County: Santa Clara

Parcel Number: 517-06-002

Diversion Within: NW1/4 of NE1/4 Section 26, T08S, R02W, MB&M

A. Water is used under: Riparian claim ☒ Pre 1914 right ☒ Other (explain):

B. Year of first use (Please provide if missing above)

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are:													Gallons		Acre-feet		Other Not Metered	
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual					
1998	X	X	X	X	X	X	X	X	X	X	X	X	-					
1999	X	X	X	X	X	X	X	X	X	X	X	X	-					
2000	X	X	X	X	X	X	X	X	X	X	X	X	-					

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation acres; Stockwatering; Domestic

Other (specify)

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NONE

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES NO  
Describe any water conservation efforts you have initiated:

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr (af/mg) yr (af/mg) yr (af/mg)

Reductions in consumptive use:

yr (af/mg) yr (af/mg) yr (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES NO

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO \_\_\_\_\_.
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to wastewater reclamation. YES \_\_\_ NO \_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO \_\_\_\_\_.
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)  
I have data to support the above surface water use reductions due to conjunctive use efforts. YES \_\_\_ NO \_\_\_

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 1-16 20 02 at San Jose, California

SIGNATURE: \_\_\_\_\_

PRINTED NAME: Richard J Pardini  
(first name) (middle init.) (last name)

COMPANY NAME: San Jose Water Company

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system.

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*"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our web-site at <http://www.swrcb.ca.gov>"*



SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

88 MAY 14 AM 10:47

DIV. OF WATER RIGHTS  
SACRAMENTO

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1998

OWNER OF RECORD: SAN JOSE WATER COMPANY

SAN JOSE WATER COMPANY  
1221 S BASCOM AVE  
SAN JOSE, CA 95128

STATEMENT NO: S001633



TELEPHONE NUMBER:  
(408) 279-7818

YEAR OF FIRST USE: 1869  
PARCEL NO:

SOURCE: BURTON CREEK

TRIBUTARY TO: BEARDSLEY CREEK

COUNTY: SANTA CLARA

DIVERSION

WITHIN: NW¼ OF NE¼ SECTION 26, T8S, R2W, MB&M.

A. Water is used under: Riparian claim ☒; Pre 1914 right ☒; Other (explain):

B. Year of first use (Please provide if missing above)

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☒ (other) MILLION GALLONS

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1995	0	0	0	0	0	0	0	0	0	0	0	0	0
1996	0	0	0	0	0	0	0	0	0	0	0	0	0
1997	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0	0	0	0	0

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic Public water supply  
Other (specify) \_\_\_\_\_

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: MARCH 19, 1998 at 1221 S. BASCOM AVE., SAN JOSE, California

SIGNATURE: R. Scott Yoo

PRINTED NAME: R. Scott Yoo  
(FIRST NAME) (MIDDLE INIT.) (LAST NAME)

COMPANY NAME: SAN JOSE WATER COMPANY

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.



## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1997

OWNER OF RECORD: SAN JOSE WATER COMPANY

~~RICHARD J. PARDINE~~ R. S. Yoo, Phd.  
1221 SOUTH BASCOM AVENUE  
SAN JOSE, CA 95128

STATEMENT NO: S001633



SOURCE: BURTON CREEK  
TRIBUTARY TO: BEARDSLEY CREEK  
COUNTY: SANTA CLARA  
DIVERSION  
WITHIN: NW¼ OF NE¼ SECTION 26, T8S, R2W, MB&M.

TELEPHONE NUMBER:  
(408) 279-7802-7818  
YEAR OF FIRST USE: 1869  
PARCEL NO:

- A. Water is used under: Riparian claim ☒; Pre 1914 right \_\_\_\_\_; Other (explain): \_\_\_\_\_
- B. Year of first use (Please provide if missing above) \_\_\_\_\_
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☒ (other) Million Gallons

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1994	0	0	0	0	0	0	0	0	0	0	0	0	0
1995	0	0	0	0	0	0	0	0	0	0	0	0	0
1996	0	0	0	0	0	0	0	0	0	0	0	0	0

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic \_\_\_\_\_  
Other (specify) \_\_\_\_\_
- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)  
\_\_\_\_\_
- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.  
\_\_\_\_\_

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: June 5, 19 97 at 1221 S. Bascom Ave, San Jose, California

SIGNATURE: Richard S. Yoo

PRINTED NAME: Richard S. Yoo  
(FIRST NAME) (MIDDLE INIT.) (LAST NAME)

COMPANY NAME: San Jose Water Company

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.



5-1 633

12-13-95

\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S001633

OWNER OF RECORD: SAN JOSE WATER WORKS

SAN JOSE WATER WORKS  
374 WEST SANTA CLARA STREET  
SAN JOSE, CA 95196

STATE WATER RESOURCES CONTROL BOARD  
DIV. OF WATER RIGHTS  
SACRAMENTO  
1995 JUN 21 AM 11:23

SOURCE: BURTON CREEK  
TRIBUTARY TO: BEARDSLEY CREEK  
COUNTY: SANTA CLARA  
DIVERSION

WITHIN: NW¼ OF NE¼ SECTION 26, T8S, R2W, MDB&M.

TELEPHONE NUMBER:

(408) 279-7900

YEAR OF FIRST USE: 1869

PARCEL NO: 517-06-002

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995.

A. Water is used under: Riparian claim X; Pre 1914 right X; Other (explain) \_\_\_\_\_

B. Year of first use (Please provide if missing above) 1869.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☒ (other) Not metered  
X = Used  
0 = Not used

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1992	X	X	X	X	X	X	X	X	X	X	X	X	---
1993	X	X	X	X	X	X	X	X	X	X	X	X	---
1994	X	X	X	X	X	X	X	X	X	X	X	X	---

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic service

Other (specify) for approximately 921,000 persons

\*\*\* CONTINUE ON BACK PAGE \*\*\*

\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None.

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

None

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6/14/95, 19 95, at San Jose, California

SIGNATURE: X [Signature]

PRINTED NAME: Richard J. Pardini  
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: San Jose Water Company

#### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"  
"Information Pertaining to Water Rights in California"  
"Water Rights for Stockponds Constructed Prior to 1969"  
"Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. Box 2000  
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE  
INFORMATION SHEET

STATEMENT NO. S001633

DIVERSION SITE:

OWNER'S NAME SAN JOSE WATER WORKS  
(FIRST) (MIDDLE) (LAST)

PARCEL NO. APN 517-06-021

PLACE OF USE:

OWNER'S NAME SAN JOSE WATER COMPANY-DOMESTIC SERVICE DISTRIBUTION  
(FIRST) (MIDDLE) (LAST)

1. PARCEL NO. N/A

2. PARCEL NO. \_\_\_\_\_

3. PARCEL NO. \_\_\_\_\_

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL  
STATEMENTS:

OWNER/LESSEE/AGENT/OTHER CHIEF ENGINEER

NAME RICHARD J. PARDINI  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS 1221 SOUTH BASCOM AVENUE  
SAN JOSE CA 95128  
(CITY) (STATE) (ZIP)

TELEPHONE NO. (408) 279 - 7802

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME N/A  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS \_\_\_\_\_  
\_\_\_\_\_  
(CITY) (STATE) (ZIP)

TELEPHONE NO. (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

2. NAME \_\_\_\_\_  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS \_\_\_\_\_  
\_\_\_\_\_  
(CITY) (STATE) (ZIP)

TELEPHONE NO. (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

☐ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR  
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL  
INFORMATION BOX.



STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 001633

SAN JOSE WATER WORKS  
374 WEST SANTA CLARA STREET  
SAN JOSE, CA 95196

TELEPHONE NUMBER:  
(408) 279-7900

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: BURTON CREEK

TRIBUTARY TO: BEARDSLEY CREEK

COUNTY: SANTA CLARA

YEAR OF FIRST USE: 1869

DIVERSION

WITHIN: NW1/4 OF NE1/4 SECTION 26, T08S, R02W, MDB&M.

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994.

A. Water is used under: Riparian claim ☒; Pre 1914 right ☒; Other (explain) \_\_\_\_\_

B. Year of first use (Please provide if missing above) Above

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☒ (other) Not Metered  
X= Used  
O= Not Used

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1991	X	X	X	X	X	X	X	X	X	X	X	X	—
1992	X	X	X	X	X	X	X	X	X	X	X	X	—
1993	X	X	X	X	X	X	X	X	X	X	X	X	—

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation \_\_\_\_\_ acres; Stockwatering \_\_\_\_\_; Domestic Municipal  
Other (specify) Services for approx. 903,000 persons

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

None

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: July 1, 19 94, at San Jose, California

Signature: [Signature] P.E.

WR 40-1 (1/94)  
FOR0127R2

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

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The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

# Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810  
901 P ST. SACRAMENTO, CA  
(916) 322-4503

STATE WATER RESOURCES  
CONTROL BOARD

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: 1633  
DIV. OF WATER RIGHTS  
SACRAMENTO

DIVERTER OF RECORD:

San Jose Water Company  
374 West Santa Clara Street  
San Jose, CA. 95196

TELEPHONE NO:  
(408) 279-7900

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT...

SOURCE: Burton Creek

TRIBUTARY TO: Beardsley Creek

COUNTY: Santa Clara

### DIVERSION

WITHIN: NW 1/4 of NE 1/4 of Section 26, T8S, R2W, MDB&M

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1991 (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons  
☐ Acre-feet  
☒ Not Metered (other)

X = Used

0 - Not Used

Total Annual

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1988	X	X	X	X	X	X	X	X	X	X	X	X	-----
1989	X	X	X	X	X	X	X	X	X	X	X	X	-----
1990	X	X	X	X	X	X	X	X	X	X	X	X	-----

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_

Stockwatering \_\_\_\_\_

Domestic Municipal Service for approximately 755,000 Persons

Other (specify) \_\_\_\_\_

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

None

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: April 8, 19 91, at San Jose, California

Signature: [Signature]

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RIGHTS BOARD

STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink.

S 1633

A. Name of person diverting water San Jose Water Works  
Address 374 West Santa Clara Street, San Jose, California 95113  
B. Name of body of water at point of diversion Burton Creek  
Tributary to Lyndon Canyon or Beardsley Creek & Los Gatos Creek  
C. Place of diversion N/W  $\frac{1}{4}$  N/E  $\frac{1}{4}$  Section 26, Township T8S, Range R2W Ht.  
Santa Clara Diablo peak  
County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works Mc Kenzie #2

E. Capacity of diversion works 2000

Capacity of storage reservoir 104.6 million Lake Ranch Res.

State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Total Annual
1966	:	:	:	:	:	x	x	x	x	:	:	:

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

Population of approx. 470,000

Maximum annual water use in recent years Unknown gallons

Minimum annual water use in recent years Unknown acre-feet

Type of diversion facility: gravity X, pump

Method of measurement: weir, flume, electric power meter, water meter, estimate X

F. Purpose of use (what water is being used for) Municipal

G. General description or location of place of use (use sketch of section grid on reverse side if you desire) Distributed to the cities of Los Gatos, Monte Sereno, Saratoga, San Jose, Campbell, Cupertino and intervening county areas.

H. Year of first use as nearly as known 1869 and prior thru diversion of Los Gatos Mfg. Co.

I. Name of person filing statement N. J. Kendall

Position Vice Pres. & General Mgr. Organization San Jose Water Works

Address 374 West Santa Clara Street, San Jose, California 95113

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed 6/21/67

Signature N. J. Kendall

See Instructions on Reverse Side